

ORDINANCE NUMBER 21-52

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

This is a Planned Unit Development District Ordinance (the "Ordinance") for the ***Springwater PUD District***, to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 2112-PUD-29**), requesting an amendment to the Unified Development Ordinance and the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 2112-PUD-29** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (-) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2022;

WHEREAS, the Common Council is subject to the provision of the Indiana Code § 36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as "**Springwater PUD District**" (the "District").
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, (ii) the provisions of the Unified Development Ordinance (the "UDO"), as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.

1.3 Chapter ("Chapter") and Article ("Article") cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.

1.4 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance. The following additional definitions are hereby incorporated:

~~2.1 **Dominant Exterior Material.** The Exterior Material that occupies the most surface area (compared to other Exterior Materials) of a Front Building Facade, exclusive of doors, windows and garage doors. The Dominant Exterior Material shall be identified on the elevations filed as part of an application for an improvement location permit.~~

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~~2.12~~ **Exterior Material.** The separate architectural siding materials and patterns on a Front Building Facade such as Masonry Materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).

~~2.2 **Transitional Architecture.** An architectural style that combines familiar architectural styles and materials with modern elements such as large windows, wood accents, and metal roof accents.~~

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Section 3. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan. The Real Estate shall be developed in compliance with Article 10.9(F) Planned Unit Development Districts; PUD District Ordinance Requirements.

3.1 The Real Estate shall be developed in substantial compliance with the Concept Plan as determined by the Director.

3.2 The District is hereby divided into three (3) areas, as depicted on the Concept Plan and labeled as "Townhouses Subdistrict", "Single Family Subdistrict", and "Private Residence & Store Subdistrict" (individually or collectively, the "Subdistrict" or "Subdistricts"). Refer to **Exhibit E**, Springwater Subdistrict Exhibit for boundaries of subdistricts.

3.3 Development of each Subdistrict shall be regulated as set forth in this Ordinance.

~~3.4 The boundaries of the Subdistricts shall be developed in substantial compliance with the Concept Plan. The final layouts and site plans within the Subdistricts shall be subject to the terms of this Ordinance and may vary from the depictions shown in the Concept Plan.~~

Section 4. **Underlying Zoning District.** The Underlying Zoning District of the Townhouses shall be SFA: Single-family Attached Subdistrict, the Single Family shall be SF4: Single-family High Density Subdistrict, and the Private Residence & Store shall be AG-SF1: Agricultural / Single-Family Rural Subdistrict.

Section 5. **Permitted Uses.**

5.1 Only uses specified within this section shall be permitted for each Subdistrict.

5.2 The following uses shall be permitted in the Townhouses Subdistrict:

- A. Dwelling, Townhouse
- B. Development Amenities

5.3 The following uses shall be permitted in the Single Family Subdistrict:

- A. Dwelling, Single Family
- B. Development Amenities

5.4 The following uses shall be permitted in the Private Residence & Store Subdistrict:

- A. Dwelling, Single Family
- B. Low traffic antique shop in existing structures(the use authorized under prior variance V-83-V-1 dated 11/02/1982)

5.5 Maximum Dwellings. The total number of Dwellings permitted in the Real Estate shall not exceed one-hundred (100).

Section 6. **General Regulations.** The standards of Chapter 4: Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the District except as modified below:

6.1 AG-SF1: Agriculture / Single-family Rural District (Article 4.2): Shall apply to the Private Residence & Store Subdistrict except as modified below:

- A. Minimum Lot Frontage (Article 4.2(D)): Shall not apply for the Private Residence & Store Subdistrict, however, the lot shall have vehicular access to a street (via, public street, private street, and/or a shared ingress/egress easement).
- B. Side and Rear Yard Setback (Articles 4.2(E)(2)): Existing structures are exempt from the Side and Rear Yard Setback requirements in the Private Residence & Store Subdistrict.

- 6.2 SF4: Single-family High Density District (Article 4.7): Shall apply to the Single Family Subdistrict except as modified below:

Single Family Subdistrict (Single-Family High Density)		
Standard	Single Family - Alley	Single Family - Front
Minimum Lot Area (4.7(B))	4,800 SF	6,800 SF
Minimum Lot Width (4.7(E))	45'	60'
Minimum Lot Frontage (4.7(C))	No minimum, however, all lots shall have vehicular access to a street (via, public street, private street, alley, or a shared ingress/egress easement)	No minimum, however, all lots shall have vehicular access to a street (via, public street, private street, alley, or a shared ingress/egress easement)
Minimum Building Setbacks		
Front Yard (4.7(D)(1))	10'	10' * <u>A driveway at least 18' deep shall be required.</u>
Side Yard (4.7(D)(2))	5'	5'
Rear Yard (4.7(D)(3))	10' * A driveway at least 18' deep shall be required.	30'
Maximum Building Height (4.7(F))	35'	35'
Minimum Living Area (4.7(G))	1,600 SF	1,600 SF

- 6.3 SFA: Single-family Attached District (Article 4.9): Shall apply to the Townhouses Subdistrict except as modified below:

Standard	Townhouses Subdistrict
Maximum Density (4.9(E))	Shall Not Apply
Maximum Project Size Within District (4.9(G))	Shall Not Apply
Minimum Building Setbacks	
Front Yard (4.9(H)(1))	0' However, a minimum 8' landscaped area shall be provided between the path <u>or sidewalk along Union Street</u> and the front of each Townhouse.
Front Setback Stagger (4.9(H)(2))	<u>i. Townhouse units shall be staggered within a building a minimum of 1.5' between the end units and the inside unit(s)</u> Shall Not Apply
Minimum Distance Between Structures (4.9(I))	15' <u>12'</u>

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Project Perimeter Setback (4.9(J))	Shall Not Apply
Maximum Building Height (4.9(K))	35' (Two-Story)
Minimum Living Area (4.9(L))	1,600 SF

Section 7. **Overlay Districts.** Article 5.2: US Highway 31 Overlay District, shall not apply to the development of the District.

Section 8. **Development Standards.** The standards of Chapter 6: Development Standards shall apply to the development of the District except as otherwise modified below.

8.1 **Accessory Use and Building Standards (Article 6.1):** Shall not apply to existing structures in the Private Residence & Store Subdistrict

8.2 **Architectural Standards (Article 6.3):** Shall not apply. The following standards shall apply in lieu of the Architectural Standards of Article 6.3:

A. Character Exhibit: The "Character Exhibit", attached hereto as **Exhibit C**, is hereby incorporated to capture the intended **Transitional A**-architecture of ~~townhouses~~ **Townhouses Subdistrict and Single-Family Subdistrict** to be constructed. It is not the intent to limit the architecture shown in the Character Exhibit, but to establish a benchmark for quality, vision, and appearance of architecture within the development. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department's decision may be appealed to the Plan Commission.

B. Four-Side Architecture: Design detailing shall be continued completely around the building consistent with the building's intended architectural style. Detailing elements shall include, but are not limited to, ~~number (except minimum number of windows on front facade) and~~ style of windows, window placement, trim detailing, roof design, and ~~exterior~~ **Exterior materials** ~~Materials, unless otherwise required by this Ordinance.~~

C. Homes constructed in the Single Family Subdistrict ~~Architectural Standards~~ shall comply with the following **architectural** standards:

a. **Building Materials.**

- i. Vinyl and aluminum siding shall be prohibited.
- ii. All single family homes will have masonry (either stone or brick veneer) at ground level. This masonry material will be continuous all the way around the base of each building except where interrupted by access points (like steps or doors). This masonry will extend – at a minimum – from the ground up to the level of the watertable.

- b. Exterior Trim Materials: Wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window trim, door trim, and as a transitional material between two different Exterior Materials, provided, however, trim shall not be required for windows, doors, corners, and the like that are surrounded by Masonry Materials; and provided further, that if windows have shutters, then such windows shall not require a trim wrap. Required trim shall be a minimum of five and one-half inches (5 and 1/2") wide.
- c. Windows:
 - i. All windows shall have either shutters and/or architectural treatment. For windows in a masonry façade, the architectural treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-masonry façade, the architectural treatment shall be of a natural material and be applied to the sill, header and jams.
 - ii. All homes shall have a minimum of three (3) windows on all four (4) sides of the home. For the purposes of this calculation, a double window shall be counted as two (2) windows.
- d. Minimum Overhangs: All homes shall have a minimum of 12" roof overhangs.
- e. Roof Pitches: Homes designed in the Midcentury Modern, Modern Prairie, or other modern styles that typically have low slope roofs may have a minimum roof pitch of 4~~1~~/₁₂ for the main roof. The minimum roof pitch for the main roof of all other architectural styles shall be 6~~1~~/₁₂. Gable, dormer and porch roof pitches may vary to achieve various architectural styles. The building permit application shall indicate whether the home is designed in a modern architectural style.
- f. Roofing Materials: All homes shall have dimensional or architectural grade shingles. Full metal roofs will not be allowed. Metal accent roofs may be used as coverings over a porch, a window seat, a bump-out, a dormer, or similar architectural feature.
- g. Garages: All homes must have at least a 2-car attached garage and meet the following requirements:
 - i. For front loading garages, a two-bay garage door width may not exceed forty percent (40%) of the linear footage of the front elevation of the home. For the purpose of the standard, a third car bay shall not be included in calculating the linear footage of the front elevation of the home.
 - ii. Two (2) dusk-to-dawn coach lights shall be provided on all garages.
 - iii. If a home has a three car garage, the third car bay shall be setback behind the Established Front Yard a minimum of two (2) feet.

- iv. All garage elevations shall (i) include at least two (2) design elements or windows to vary the appearance of the garage façade and (ii) be painted a color to match the ~~Dominant~~ Exterior Material or a color to accent the ~~Dominant~~ Exterior Material. Design elements include the garage door, garage hardware, garage door header, roof gable brackets, multiple building materials, gable accent windows and gable decorative louver.
- h. Front Building Façade Requirements: At a minimum each Dwelling shall utilize the following architectural elements on the Front Building Façade:
 - i. Wood, Fiber Cement Siding, or equivalent trim at corners, frieze boards, window and door wraps, and as transitional material between two different Exterior Materials.
 - ii. Architecturally enhanced / decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments, or shutters).
 - iii. Roof design featuring a hip roof; dormers (a minimum of two (2) dormers); a reverse gable; a shed roof accent; or, two (2) or more roof planes.
 - iv. All one-story dwellings shall have a minimum of four (4) windows on the Front Façade and all two-story dwellings shall have a minimum of six (6) windows on the Front Façade.
- i. Side Building Façade Requirements: All Dwellings (i) on Corner Lots (side facing a street) or (ii) with a Side Lot Line abutting a Common Area (side facing the common area) which have a gable end on the side Building Façade shall incorporate a minimum of one (1) of the following elements on the side Building Façade. The following elements shall be used and shall be consistent with elements included on the Front Building Façade:
 - i. A change in the exterior color separated by trim;
 - ii. A change in the Exterior ~~Material~~ pattern separated by trim;
 - iii. A gable end architectural detail (e.g., brackets, louvers, pediment, corbel, decorative window detail created with shutters, etc.)
 - iv. A minimum of ten (10) square foot gable window;
 - v. A gable peak with a change in Exterior Material; or
 - vi. A projecting chimney running the full height of the side Building Façade constructed with Masonry Material.
- j. Streetscape Diversity: Single-Family Dwellings located within three (3) Lots with a Front Lot Line abutting the same Street and Single Family Dwellings located across the street or diagonally opposite shall, at the time of the issuance of the Certificate of Occupancy:
 - i. Be a significantly different front Building Facade (i.e. architectural style, roof lines, window placement, proportion of siding materials). Minor variations in architectural features or materials (i.e. shutters, door styles, siding patterns) shall not qualify as significantly different if the Dwelling on the adjacent Lot is of a similar floorplan;

and

- ii. Have a different primary siding color than the adjacent Lot.

D. The homes in the Townhouses Subdistrict shall comply with the following architectural standards:

- a. Building Materials: Permitted ~~exterior-Exterior building materials-Materials~~ are as follows:
 - i. Masonry Material (brick or cultured stone), fiber cement siding, composite trim, composite veneer panels, vinyl shutters, aluminum facia, aluminum soffits, aluminum downspouts/gutters.
 - ii. All townhouses will have masonry (either stone or brick veneer) at ground level. This masonry material will be continuous all the way around the base of each building except where interrupted by access points (like steps or doors). This masonry will extend – at a minimum – from the ground up to the level of the watertable.
- b. Roof Design:
 - i. Minimum Overhang: The primary/main roof overhang or eaves shall be a minimum of twelve inches (12”) on all facades of each Building, as measured prior to the installation of any Masonry Materials.
 - ii. Roofing Materials: All homes shall have dimensional or architectural grade shingles. Full metal roofs will not be allowed. Metal accent roofs may be used as coverings over a porch, a window seat, a bump-out, a dormer, or similar architectural feature.
 - iii. Roof Pitch: Townhouses designed in the Midcentury Modern, Modern Prairie, or other modern styles that typically have low slope roofs may have a minimum roof pitch of 4/12 for the main roof. The minimum roof pitch for the main roof of all other architectural style shall be 6/12. Gable, dormer and porch roof pitches may vary to achieve various architectural styles. Shed roof dormer accents shall be no less than 3:12. The building permit application shall indicate whether the home is designed in a modern architectural style.
- c. Garages: All Dwellings shall have a two (2) car garage.
- d. Front Building Façade Requirements: At a minimum, each Dwelling shall utilize the following architectural elements on the Front Building Façade (façade including the entry door) unless specifically noted otherwise:

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- i. Shall consist of Masonry Material and two (2) of the following materials: composite trim, composite veneer panels, horizontal siding, shake siding or board and batten siding.
 - ii. Shutters or a six-inch(6") nominal trim board on all operable windows(windows which open) shall apply unless wrapped in masonry.
 - iii. A minimum of one (1) offset at least one and a half feet (1.5') deep by a minimum height equivalent to one-story (exclusive of relief for doors, windows and other openings). Said relief could be either on the first floor or second floor.
 - iv. A minimum of four (4) windows.
 - v. Front door entranceways shall include a porch not less than three feet (3') deep by five feet (5') wide (prior to installation of any Masonry Material).
 - vi. The roof design shall include at least one (1) of the following features: dormer, jerkinhead roof, shed roof accent, cornice returns, gable, or two (2) or more roof planes.
 - vii. Gable ends shall include a minimum of one (1) of the following architectural treatments: brackets, trim detail, change in material pattern, sub-rake board not less than four-inch (4") nominal width or composite veneer panels.
- e. Side Building Façade Requirements: At a minimum, the side elevation for each end unit on each Townhouse building shall utilize the following architectural elements (exclusive of common firewalls separating units contained in same building structure):
 - i. A minimum of three (3) windows shall be required.
 - ii. All windows shall have a minimum four-inch (4") nominal width trim.
 - iii. Architectural treatment (trim detail, a change in material pattern, etc.) shall be utilized on gable ends.
- f. Rear Building Façade Requirements: At a minimum, each Dwelling shall utilize the following architectural elements on the Rear Façade (façade opposite the façade including the entry door):
 - i. A minimum of two (2) windows shall be required.
 - ii. Windows shall have minimum four-inch (4") nominal width trim.
- g. Streetscape Diversity: The following design criteria shall apply only to Townhomes whose Front Building Facades face Union Street and shall be provided to achieve streetscape diversity along the Union Street frontage:

~~i. Townhouse units shall be staggered within a building a minimum of 4.5' between the end units and the inside unit(s)~~

~~ii.i.~~ Townhouses adjacent to Union Street shall require the front door to face Union Street and the garage shall face an internal street or alley.

~~iii.ii.~~ A sidewalk/pedestrian corridor and courtyard shall be provided between buildings along Union Street as shown in the Concept Plan.

~~iv.iii.~~ Each unit shall have outdoor living areas along the streetscape.

- D. Article 6.3 shall not apply to the existing structures in the Private Residence and Store Subdistrict.

8.3 Article 6.8 Landscaping Standards: Shall apply, except as modified below.

- A. Tree Preservation (Article 6.8(E)): The Open Space Amenity and Preservation Exhibit, attached hereto as **Exhibit D** is hereby incorporated. Existing vegetation shall be protected in a Tree Preservation Easement where shown as "Tree Preservation Easement" in **Exhibit D** in accordance with Chapter 8 of the Design Standards except as modified by this Ordinance.
- B. Street Trees (Article 6.8 (J)): Shall apply, unless otherwise approved by the Director or Department of Public Works, except the following:
1. Street trees are not required on alleys or private streets with Townhouse Dwelling frontage.
 2. Street Tree spacing (Article 6.8(J)(3)): shall not apply.

- C. Foundation Plantings (Article 6.8 (L)(1)): Shall apply to Townhouses ~~Dwellings~~ only. Along Union Street, the foundation plantings shall be a landscaped area between the front of the townhomes and the perimeter trail with the following requirements:

1. The landscaped area shall be a minimum of 8' wide, between the buildings and the trail. A minimum of One (1) ornamental tree and five (5) shrubs shall be provided per Townhouse in this area. In addition, shade trees shall be provided between the trail and Union Street if permitted by Section 8.3D below in accordance with the Street Tree standards of Article 6.8(i) of the UDO. Landscaping within the landscaped area may be installed in the Right-of-way, subject to approval from the Department of Public Works.
2. Minimum of six (6) different species of shrubs shall be used along the streetscape to provide diversity. The number of plantings shall comply with the 8.3C of this document.

D. External Street Frontage Landscaping Requirements (Article 6.8(M)): Shall not apply. However, plantings accomplishing an aesthetic similar to Street Trees may be installed in the Union Street Right-of-way between the pedestrian path and public street, subject to approval from the Community Development and Public Works Departments.

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E. Buffer Yard Requirements (Article 6.8 (N)): There is no Buffer Yard required adjacent to the Lantern Park subdivision to the south and east. Buffer Yard B (40' minimum), as indicated in Article 6.3(N), shall be provided along the north and east property lines (except at the Private Residence & Store Subdistrict). Tree Preservation Easement areas shall be credited toward required Buffer Yard plantings in accordance with Article 6.8(E)(6)(b). Along the east property line, a row of evergreen trees, in accordance with Buffer Yard B requirements, will be provided west of the Tree Preservation area, to the west of the Tree Preservation Area and within the 40-foot Buffer Yard (as shown on the Concept Plan, Exhibit B) a 10 foot wide row of evergreen trees shall be provided. This row shall consist of a minimum of thirty (30) evergreen trees and shall count towards the Buffer Yard B plantings.

8.4 Sign Standards (Article 6.17): One (1) sign in accordance with Article 6.17(H) Individual Nonresidential Signs may be installed within the Real Estate for the Private Residence & Store Subdistrict (but not within one-hundred (100') feet of the Union Street right-of-way). This sign shall not count toward the residential signs permitted for the Townhouses and Single Family Subdistricts by Article 6.17(G). Existing sign may remain until a new sign is installed.

8.5 Vision Clearance (Article 6.19 (A)(1)): Shall not apply. Instead, the following shall apply:

- A. Thirty-five (35) feet from the intersection of Union Street and the entrance roads. The vision clearance shall be measured between the Union Street right-of-way line and the back of curb of the entrance road as shown on Exhibit B.
- B. Ten (10) feet from all other intersections including Local streets, Driveways, and Alleys as measured from the back of curb.

Section 9. **Infrastructure Standards.** The District's infrastructure shall comply with the Unified Development Ordinance and the City's Construction Standards (see Chapter 7: Subdivision Regulations), unless otherwise approved by the Department of Public Works.

Section 10. **Design Standards.** The standards of Chapter 8: Design Standards shall apply to the development of the Real Estate, except as otherwise modified below:

10.1 Open Space and Amenity Standards (Article 8.6): Shall not apply. However, Open Space and Amenity Standards shall substantially comply with Exhibit D.

10.2 Pedestrian Network Standards (Article 8.7): Shall apply except as modified below:

- A. Internal Pedestrian Network Standards (Article 8.7(C)(2)): Sidewalks shall be required on both sides of the internal streets and internal Private Streets in all developments except the following:
 - 1. Sidewalks are not required on private streets on rear of townhouses
 - B. Perimeter/External Pedestrian Network Standards (Article 8.7(D)): The pedestrian trail along Union Street shall be extended south along the roadway frontage to 161st Street as required by Article 8.7(D)(1) except where installed in this corridor by others including the roundabout project proposed at 161st and Union Street, provided the roundabout project has commenced prior to the recording of the Secondary Plat.
- 10.4 Street and Right-of-Way Standards (Article 8.9): The District shall comply with the requirements of the Thoroughfare Plan unless otherwise agreed to by the Department of Public Works.
- 10.5 Tree Preservation Easement Standards (Article 8.3(H)): Article 8.3(H) shall apply except as modified below. The Primary Plat and Secondary Plat shall document the dimensioned limits of the Tree Preservation Easement. Tree Preservation Easement standards (8.3(H)) will be included in Covenants, Conditions, and Restrictions with the following additional requirements:
- A. Permitted activities:
 - a. Neighborhood Amenities as shown in Exhibit D are permitted activities within the Tree Preservation Easement. Mowing and Seeding are permitted within the three feet (3') vicinity of the Amenities including trails shown.
 - b. Activities permitted by any legal drain easement are permitted within the Tree Preservation Easement where these easements overlap.
 - c. The existing drive to the Private Residence and Store Subdistrict and Proposed Trails are permitted.
 - B. Required Activities:
 - Signs identifying a "Tree Preservation Area" shall be posted every one-thousand (1,000) feet near the perimeter of all Tree Preservation Easements. Such signs shall state "Natural Preservation Area. No mowing or spraying or Removal of Trees. Restricted Area."

Section 11. **Termination of Existing Variances.** All variances under Application Number V-83-V-1 dated 11/02/1982 shall be terminated upon the effective recording date of the secondary plat.

Section 12. **Severability Clause.** If any term or provision of this ordinance is held to be illegal or unenforceable, the validity or enforceability of the remainder of this ordinance will not be affected.

Section 13. **Sunset Clause.** To the extent the provisions of this subsection are not in conflict with Indiana Code 36-4-7-4-1109, this Ordinance shall be subject to review and approval by

the City Council on January 1st of the 6th full calendar year following the approval of this Ordinance, if at least one (1) Improvement Location Permit within the District has not been issued.

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ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2022.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Scott Willis

Scott Willis

Scott Willis

Jake Gilbert

Jake Gilbert

Jake Gilbert

James J. Edwards

James J. Edwards

James J. Edwards

Scott Frei

Scott Frei

Scott Frei

Mike Johns

Mike Johns

Mike Johns

Troy Patton

Troy Patton

Troy Patton

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Neil Goradia

I hereby certify that **ORDINANCE 21-52** was delivered to the Mayor of Westfield on the ____ day of _____, 2022, at ____ m.

Cindy Gossard, Clerk Treasurer

I hereby APPROVE **ORDINANCE 21-52** I hereby VETO **ORDINANCE 21-52**

This ____ day of _____, 2022 This ____ day of _____, 2022

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by: Neil Goradia
 Apollo Developers LLC
 12941 Coyote Run
 Fishers, IN 46038

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description and Location Map)
Exhibit B	Concept Plan
Exhibit C	Character Exhibit
Exhibit D	Open Space Amenity and Preservation Exhibit
Exhibit E	Springwater Subdistrict Exhibit
Exhibit F	Vicinity Map